

## **REMARKS**

Claims 1-5, 12-24, and 26-37 are pending in the present application. In the current Amendment, independent claims 1 and 18 have been amended to include limitations to the bending loss at 1625 nm. These limitations were previously claimed via dependent claims 25, 38, and 39, which have now been cancelled. No new matter has been added by these amendments.

### ***Claim Rejections Under 35 U.S.C. § 102***

Claims 1, 2, 26, and 27 were rejected under 35 U.S.C. § 102(e) as being anticipated by Matsuo, U.S. Patent Application Publication 2003/0152347.

Independent claim 1 claims a single-mode optical fiber wherein, *inter alia*, “a bending loss is 0.5 dB or less at 1625 nm under the condition of a bending radius of 30mm, 100 turns.” Matsuo does not disclose, teach, or suggest a bending loss of 0.5 dB or less at 1625 nm under the conditions of 30 mm bending radius and 100 turns. In fact, the only disclosure related to bending loss in Matsuo is the general statement at paragraph 57 that, given certain refractive index relationships “it is difficult to set bending loss within a practical range,” and a few specific values of bending loss, ranging from 5 to 8.5 db/m, for sample fibers at 1550 nm.

Because Matsuo does not disclose all the elements of claim 1, it cannot anticipate claim 1, and the rejection of this claim should therefore be withdrawn. Claims 2, 26, and 27 are dependent claims depending from claim 1, and the rejections of these claims should therefore be withdrawn, for at least this reason.

### ***Claim Rejections Under 35 U.S.C. § 103***

Claims 3-5, 12-25, and 28-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsuo.

Applicant first notes that claims 25, 38, and 39 have been cancelled, so that the rejections of these claims are moot and should be withdrawn.

Secondly, claims 3-5, 12-17, and 28-37 are dependent claims depending from claim 1, which as discussed above is patentable over Matsuo. The rejections of these claims should therefore be withdrawn, for at least this reason.

Regarding claim 18, this claim has now been amended to also comprise the limitation, “wherein a bending loss is 0.5 dB or less at 1625 nm under the condition of a bending radius of 30mm, 100 turns.” In discussing the rejections of the now-cancelled dependent claims 25, 38, and 39, which comprised this same limitation, the Examiner admitted that Matsuo does not expressly disclose this limitation, but asserted that it would have been obvious “to minimize the bending losses at 1625 nm for the purposes of maintaining optimal transmission characteristics across the wavelength band of interest.”

Applicant disputes this and maintains that, on the contrary, the particular claimed range of bending loss under the particular claimed conditions (1625 nm wavelength, 30 mm bending radius, 100 turns), combined with the limitations on refractive index, etc, in elements (a) through (h) of claim 18 is not obvious. Even the rather cursory discussion of bending loss in Matsuo at paragraph 57, where it is remarked that “it is difficult to set bending loss within a practical range” under specified refractive index profiles, gives some indication of the difficulties involved in constructing a suitable optical fiber for WDM with suitable bending loss. Applicant therefore maintains that claim 18 is patentable over Matsuo, and that the rejection of this claim should therefore be withdrawn. As claims 19-24 are dependent claims dependent from claim 18, the rejections of these claims should also be withdrawn, for at least this reason.

**CONCLUSION**

In view of the above, applicants respectfully submit that the present application is in condition for allowance. A favorable disposition to that effect is respectfully requested.

The filing of this response on May 29, 2007, is believed to be timely, due to the Memorial Day holiday on May 28. No fee is believed to be due for this submission. Please charge any fee that may be due or credit any overpayment to Jones Day Deposit Account No. 50-3013.

Should the Examiner have any questions or comments concerning this submission, he is invited to call the undersigned at the phone number listed below.

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Respectfully submitted,



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